

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendment and discussion below.

Applicant's invention has been discussed in the Amendment filed May 14, 2002, which is incorporated herein by reference with the following additional comments being made in light of the newly applied prior art.

Claims 15-18 have been rejected under 35 U.S.C. § 102 as anticipated by the reference to Baker, U.S. Patent No. 2,127,710, as indicated at item 3 on pages 2 and 3 of the Patent Office Action. Dependent Claims 19-22 and 42-43 have been rejected under 35 U.S.C. § 103 as unpatentable over Abu-Isa et al., while Claims 23-28 have been rejected as unpatentable over Baker in view of Bartz, as indicated at item 7 of the Patent Office Action.

The present invention is addressed to a lounge chair with a frame having longitudinal and transverse bars and with spring elements designed to have a bearing pressure which is provided over the entire lying surface without requiring costly spring elements distributed on the surface or a fixed underlay running at right angles to the longitudinal bars.

The present invention provides spring elements made of textile structure having elastic threads in the form of a knitted or woven fabric and held under stretched conditions between the longitudinal bars of the frame. More specifically, the stretching of the textile material (straining) is such that the

stress is different in one section than in other sections running lengthwise of the longitudinal bars to make it possible to make zone-by-zone variable return forces. As shown in Figure 5, the spring elements are formed as the elastic textile structure 4 which, when secured to the longitudinal bars 5, provides a prestrained or prestretched condition between the longitudinal bars to change the shape of the textile structure 4 to provide prestress of the textile structure. Furthermore, a first prestress of the textile structure at right angles to the longitudinal bars 5 in a first section is different from a second prestress of the textile structure at a right angle to the longitudinal bars in the second section. A first section may be, for example, the widest portion of the material 4 which needs to be stretched or strained by a distance "s" whereas another section may be represented by the narrowest portion of the material 4 where the material has to be stretched a distance of "s" + "S_x." The two different stretching lengths provide the two different stresses on the material as defined by amended Claim 15.

The reference to Baker, U.S. Patent No. 2,127,710, features a furniture construction for a cot which also can be used for chairs. The bottom structure features portions having different degrees of elasticity by using perforations along the side to provide non-metallic spring action to conform the bottom substantially to the shape of a person or different body parts of a person occupying the furniture.

The reference to Baker does not use or contemplate an elastic textile structure which is stretched or strained beyond its normal prestressed dimension between longitudinal bars where the prestress is different in various sections transverse to the longitudinal bars.

In other words, looking at Figure 5 of the present application, it can be seen that the prestressed textile material 4 has a curved contour so that when the material is stretched or strained to be attached to the bars 5, the material does not retain its original prestrained or prestressed condition. In contrast, the material in the reference to Baker as shown in Figure 2 is not prestrained or prestretched in any appreciable manner. The shape of the material is essentially the same both before and after applying it to the frame 1. If the material would be prestrained or stretched, the plurality of holes 7, 8, 9 and 10 would not be aligned or the holes would not be symmetrical because of stretching. Furthermore, the material at sections 23 and 26 would not have the semicircular configuration due to the stretching of the material. Additionally, if the material were stretched (strained), when using the foldable bed structure of Figures 3-5, the two longitudinal bars with the frame of the bed would be folded together.

In conclusion, Applicant's invention is particularly designed to have a different amount of strain when traveling in a direction transverse to the longitudinal bars 5. Independent Claim 15 provides that the elastic textile structure 4 is held under a prestrained condition between the longitudinal bars

to change the size of the textile structure to provide an associated prestress of the textile structure and that this forms a supporting surface covering the frame. Furthermore, it is defined that the textile structure has a first prestress section at a right angle to the longitudinal bars and a second prestress section also at right angles to the longitudinal bars wherein the second prestress section has a substantially different prestress than the first section.

The secondary reference to Abu-Isa et al. has been cited for the showing of placing cushions on the textile structure. Furthermore, the reference to Bartz has been cited for teaching a foldable mattress support having an articulated axle for allowing the head section to be pivoted relative to the foot section.

Applicant submits that even accepting the statement of the rejection for the showing of each of the secondary references, they do not disclose any features which could be combined with the primary reference to Baker to provide the features of independent Claim 15.

Therefore, in view of the distinguishing features between the claimed invention and the references, which features are not shown or disclosed or made obvious by the references or any combination of the references, Applicant respectfully requests that this application, containing Claims 15-33, 42 and 43, be allowed and be passed to issue.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

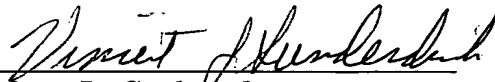
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Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Please amend the specification as follows:

[0028] This is attained by providing the elastic knitting 4, as schematically presented in Fig. 5, before insertion into the frame 3, which is rectangular, with a cut contour deviating from the rectangular form, whose outer [edges] contours 4a run curved and, as shown in Fig. 5, is made wider in zones 15 and zone 17 than in the zones 14, 16 and 18. If, according to the invention, the outer contours 4a of this elastic knitting 4, are pulled outwards following the arrow 21 up to the longitudinal bars 5, a prestress greater than in the zones in between is created because of the greater extension between the longitudinal bars 5 in the zones 14, 16, and 18, making it possible to give the lying surface of the bed varying return forces distributed over the length of the longitudinal bars, which as desired, offers a varying soft supporting surface for a person using the bed.

Please AMEND Claim 15 as follows:

15. (TWICE AMENDED) A lounge chair with a frame having longitudinal and transverse bars and with spring elements held by the frame, said spring elements being in the form of an elastic textile structure held under [prestress] a pre-strained condition between the longitudinal bars to change the size of said textile structure to provide an associated prestress of the textile

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structure and forming a supporting surface covering the frame wherein the textile structure is made out of synthetic threads, and wherein a first prestress of the textile structure at a right angle to the longitudinal bars in a first section is substantially different from a second prestress of the textile structure at a right angle to the longitudinal bars in a second section.